

SIKKIM



GOVERNMENT

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**GOVERNMENT OF SIKKIM
DEPARTMENT OF FOREST, ENVIRONMENT & WILDLIFE MANAGEMENT
GANGTOK**

NOTIFICATION

NO.GOS/FEWMD/PR.SECY-cum-PCCF/113

Dated: 5.8.2015

In exercise of the powers conferred by clause(h) of sub-section(2) of section 83 of the Sikkim Forests, Water Courses and Road Reserve (Preservation and Protection) Act, 1988 (6 of 1988), the State Government hereby makes the following rules to amend the Sikkim Forest (Allotment of Areas for Quarrying of Sand and Stone) Rules, 2006 namely:-

1. (1) These rules may be called the Sikkim Forest (Allotment of Areas for Quarrying of Sand and Stone) Amendment Rules, 2015.
(2) They shall extend to the whole of Sikkim.
(3) They shall come into force on the date of their publication in the Official Gazette.
2. In the Sikkim Forest (Allotment of Areas for Quarrying of Sand and Stone) Rules, 2006, hereinafter referred to as the said rules, in rule 2, after clause "(p)", the following new clauses shall be inserted, namely:-
 "(pa) "SEAC" means the State Level Expert Appraisal Committee constituted under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) and in pursuance of the notification of the Government of India in the erstwhile Ministry of Environment and Forests, number S.O. 1533 (E), dated the 14th September, 2006.

 "(pb) "SEIAA" means the State Level Environment Impact Assessment Authority constituted under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) and in pursuance of the notification of the Government of India in the erstwhile Ministry of Environment and Forests, number S.O. 1533(E), dated the 14th September, 2006.
3. In the said rules, in rule 4, for the words "October-November" the words "September-October" shall be substituted.
4. In the said rules, in rule 7, for the word "November" the word "October" shall be substituted.

5. In the said rules, after rule 7, the following new rules shall be inserted, namely:-

“ 7A. Environment Clearance to be obtained

For the purpose of obtaining environment clearance for quarrying/mining of minor minerals including sand the Conservator of Forest (Territorial) shall place the proposals before the SEAC within 1(one) week of the receipt of the proposal from the division.

7B. SEIAA to grant or withhold environmental clearance

The SEAC shall consider the proposals and forward them with its comments to the SEIAA within 2(two) weeks of the receipt of the proposal which shall, based on the comments of SEAC, grant environment clearance within 2 (two) weeks as provided in the Environment Impact Assessment Rules, 2006:

Provided the SEIAA may refuse to grant environment clearance if in its view the quarrying of sand or stone in any area will have undesirable environmental impact”.

6. In the said rules, in rule 8, after the words “the month of November”, and before the words “by adopting” the following words and figure shall be inserted, namely:-

“for all areas for which environment clearance has been granted as provided in rule 7B,”

7. In the said rules, in rule 19, after the first proviso, the following new proviso shall be inserted, namely:-

“Provided further that for the Border Roads Organization, the annual license fees shall be equal to the highest tender offered for a similar quarry anywhere else in the State”.

**Dr. Thomas Chandy
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